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09/903,024	07/11/2001	James Morgan Murphy	SEA9783/30874.108USU1	9848

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EXAMINER

BEACHAM, CHRISTOPHER R

ART UNIT	PAPER NUMBER
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2653

DATE MAILED: 09/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/903,024

Applicant(s)

MURPHY, JAMES MORGAN

Examiner

Christopher R. Beacham

Art Unit

2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21 is/are allowed.
- 6) ☒ Claim(s) 1-4,6,7,10,12-14,19 and 20 is/are rejected.
- 7) ☒ Claim(s) 5,8,9,11,15,16 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Amendment*

The reply filed 7/31/2003 was applied to the following effect: All relevant objections are withdrawn as being satisfied.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6, 7, 10, 12-14, 17, 19 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Murakami et al. (hereinafter Murakami) (US 6,212,044 B1).

- Regarding claim 1, Murakami shows a disc drive head positioning suspension comprising:

- a base 3;

- a load beam 6 extending in a first plane having a first end and a second end, a longitudinal axis extending between the first end and the second end of the load beam 6, and a transverse axis extending perpendicular to the longitudinal axis within the first plane; and

- a bend section (not numbered) connecting the base 3 to the second end of the load beam 6, the bend section including a transverse axis aligned parallel to the

Art Unit: 2653

transverse axis of the load beam, and a longitudinal axis aligned parallel to the load beam longitudinal axis.


a width measured along the transverse axis of the bend section, and first and second rails extending in a direction parallel to the transverse axis of the bend section, and further extending out of the first plane so as to form an open channel across at least a portion of the width of the bend section (see attached Fig. 6).

- Regarding claim 2, Murakami shows the first and second rails extend in second and third planes distinct from the first plane (Fig. 6).

- Regarding claim 3, Murakami shows each of the first and second rails has a width, a thickness, and a length, and wherein the width of the first and second rails is substantially similar to the width of the base 3 (see attached Fig. 6).

- Regarding claim 4, Murakami shows the first and second rails extend in a direction substantially normal to the first plane (see attached Fig. 6).

- Regarding claim 6, Murakami shows the cross section of the open channel is substantially U-shaped (see attached Fig. 6).



- Regarding claim 7, Murakami shows either the first rail or the second rail comprises two segments along its width (see attached Fig. 6).

- Regarding claim 10, Murakami shows a portion of the bend section and the first and second rails being removed on one side of the longitudinal axis (see attached Fig. 6).

Art Unit: 2653

- Regarding claim 12, Murakami shows the load beam having a width centered about the longitudinal axis, and wherein the width of the first and second rails is less than the width of the load beam (see attached Fig. 6).

- Regarding claim 13, Murakami shows suspension member 6 comprising:  
a plate 3 extending in a first plane, the plate having a width centered about a longitudinal axis of the plate; and being spaced apart in the longitudinal direction, the first rail further extending in second plane and the second rail extending in a third plane, the second and third planes being different than the first plane, wherein a portion of the plate extending in the first plane connects the first and second rails together to form an open channel having a generally U-shaped cross section (see attached Fig. 6).

- Regarding claim 14, Murakami shows the second and third planes are perpendicular to the first plane (see attached Fig. 6).

- Regarding claim 17, Murakami shows the second and third planes extend at different angles from the first plane (see attached Fig. 6).

- Regarding claim 19, Murakami shows a head suspension comprising:  
a base 3;  
a load beam 6; and  
a bend section 14a having a first end and a second end, the first end being coupled to the load beam and the second end being coupled to the base;  
a base plate extending in a first plane, and first and second rails coupled to the plate, the first rail extending in a second plane and the second rail extending in a third plane, the first plane being different from the second and third planes, and a portion of

Art Unit: 2653

the base plate extending in the first plane connects the first and second rails to form an open channel across the bend section in a direction transverse to a longitudinal axis of the head suspension (see attached Fig. 6).

- Regarding claim 20, Hanrahan shows a suspension member 11 comprising:

- a base 3 extending in a first plane:

- a load beam 6 extending in a first plane; and

- the stiffening means including first and second rails (not numbered) extending in a direction transverse to a longitudinal axis of the suspension member 11 and further extending in a direction out of the first plane, the first and second rails being spaced apart in a direction of the longitudinal axis and being connected by a portion of the stiffening means that extends in the first plane so as to form an open channel (see attached Fig. 6).

#### **Allowable Subject Matter**

*ADD  
claim 7* • *OBJECT* 7 Claims 7, 8, 9, 11, 15, 16 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

- Claims 21 is allowed.

The following is a statement of reasons for the indication of allowable subject matter:

- **Claim 21** specifies a head suspension which requires:

*"the rail includes at least two separate segments along the rail width."*

Art Unit: 2653

Hanrahan '252 shows a rail 66 that extends along a transverse axis, which is perpendicular to a longitudinal axis of the beam. Hanrahan does not teach or suggest separating the rail into at least two separate segments as claimed in the present invention.

Allen '381 exhibits a bend section 137 comprises first 343 and second 344 rails being separated in the longitudinal axis direction of the bend section 137, the rails forming an open channel (Figure 9). Neither rails 343 or 344 are split into two distinct segments.

Last, Murakami '044 shows a one-piece rail (not numbered) that extends the transverse axis that is perpendicular to the beam longitudinal axis. Murakami does not teach or suggest separating the rail into at least two separate segments as claimed in the present invention.

Therefore, these features, in combination with other features of claim 21, are not anticipated by, nor made obvious over, the closest prior art of record of Hanrahan (US 5,870,252), Allen et al. (US 5,894,381) and/or Murakami et al. (US 6,212,044 B1).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R. Beacham whose telephone number is (703) 605-4256. The examiner can normally be reached on M-F, 8: 00 am-5: 30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (703) 305-6137. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.



Application/Control Number: 09/903,024  
Art Unit: 2653

Page 8

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.



Christopher R. Beacham  
Patent Examiner  
Art Unit 2653  
September 8, 2003



WILLIAM KORZUCH  
SUPERVISORY PATENT EXAMINER  
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